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Counsel for Plaintiff in *City of Santa Cruz v. George Blumenthal*, Case Number C-06-04676-PVT
CITY OF SANTA CRUZ

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

COALITION TO LIMIT UNIVERSITY
EXPANSION, an unincorporated association,) Case No. 3:06-cv-02753-CRB
Plaintiff,)
v.) STIPULATION AND [PROPOSED]
GEORGE BLUMENTHAL, Acting Chancellor,) ORDER ON CITY OF SANTA
University of California, Santa Cruz, in his official) CRUZ'S REQUEST FOR
capacity; and DEVCON CONSTRUCTION, INC.,) TELEPHONIC APPEARANCE
a California corporation,) [Civil L.R. 16-10(a).]
Defendants.)

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RECITALS

WHEREAS, Plaintiff, COALITION TO LIMIT UNIVERSITY EXPANSION, filed its complaint, *Coalition to Limit University Expansion v. George Blumenthal, et al.*, Case Number 3:06-cv-02753-CRB, on April 21, 2006.

WHEREAS, Plaintiff, CITY OF SANTA CRUZ (the "City"), filed its own complaint, *City of Santa Cruz v. George Blumenthal*, Case Number C-06-04676-PVT on August 1, 2006.

WHEREAS, both actions are brought under the citizen suit enforcement provisions of the Federal Water Pollution Control Act (Clean Water Act). (33 U.S.C. § 1365.)

WHEREAS, the City filed a Motion to Consider Whether Cases Should be Related on August 15, 2006, because both actions arise from substantially the same events and conducting the cases before different judges would result in unduly burdensome duplication of labor and expense and risk conflicting results. (Civil L.R. 3-12(a)(1).)

WHEREAS, counsel for the University of California, Christopher Locke, notified counsel for the City, Sabrina V. Teller, on August 16, 2006, of the case management conference scheduled for August 25, 2006, at 8:30 a.m. in the San Francisco Division of this court and invited the City to appear, in the event that the Court has questions relating to the City's motion regarding the related cases.

WHEREAS, counsel for the City, Sabrina V. Teller, intends to appear by telephone at the case management conference.

WHEREAS, to initiate the appearance by telephone, counsel for the City, Sabrina V. Teller, may be reached at (916) 443-2745.

THEREFORE, subject to the approval of the Court, the undersigned parties, through their respective counsel, hereby agree and stipulate as follows:

1. By this stipulation, counsel for the City, Sabrina V. Teller, may appear by telephone at the case management conference noticed for August 25, 2006, at 8:30 a.m., in the San Francisco Division of this court.

2. To allow for the appearance by telephone at the case management conference on August 25, 2006, at 8:30 a.m., in the San Francisco Division of this court, counsel for the City, Sabrina V. Teller, can be reached by telephone at (916) 443-2745.

DATED: _____

FARELLA, BRAUN, & MARTEL, LLP

/s/

R. Christopher Locke

Attorneys for Defendant
GEORGE BLUMENTHAL, Acting Chancellor,
University of California, Santa Cruz, in his
official capacity.

DATED: _____

CREECH, LIEBOW, & KRAUS

/s/

Randall C. Creech

Attorneys for Defendant
DEVCON CONSTRUCTION, INC.

DATED: _____

LAWYERS FOR CLEAN WATER, INC.

/s/

Daniel G. Cooper

Atorneys for Plaintiff
COALITION TO LIMIT UNIVERSITY
EXPANSION.

DATED: _____

REMY, THOMAS, MOOSE, & MANLEY, LLP

/s/

Sabrina V. Teller

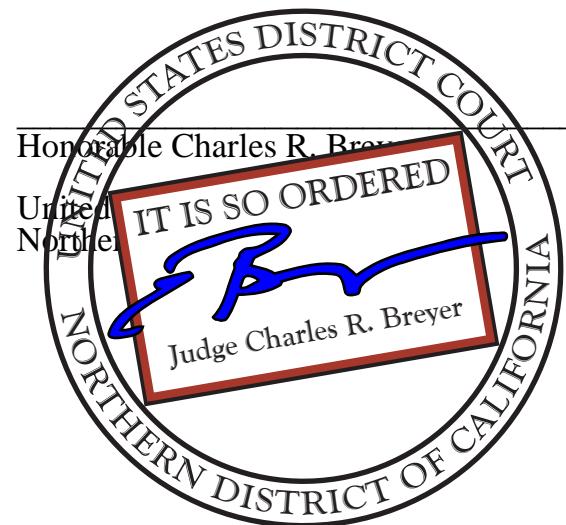
Attorneys for Plaintiff in *City of Santa Cruz v. George Blumenthal*, Case Number C-06-04676-PVT, CITY OF SANTA CRUZ.

1 **[PROPOSED] ORDER**

2 Upon consideration of the Administrative Motion for Telephonic Appearance, filed
3 by Plaintiff, City of Santa Cruz, in *City of Santa Cruz v. George Blumenthal*, and
4 PURSUANT TO STIPULATION, IT IS SO ORDERED that:

5 1. By this stipulation, Counsel for the City, Sabrina V. Teller, may appear by
6 telephone at the case management conference noticed for August 25, 2006, at
7 8:30 a.m., in the San Francisco Division of this court.
8 2. To allow for the appearance by telephone for the case management conference
9 on August 25, 2006, at 8:30 a.m., in the San Francisco Division of this court,
10 the Court will contact counsel for the City, Sabrina V. Teller, at (916) 443-
11 2745.

12 Dated: August 21, 2006



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